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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 KIM ROGER CRAWFORD,

11 Petitioner,

No. CIV S-03-1149 LKK KJM P

12 vs.

13 BEN CURRY, et al.,

14 Respondents.

ORDER

15 \_\_\_\_\_/  
16 Petitioner, a state prisoner proceeding pro se, has timely filed a notice of appeal of  
17 this court's September 27, 2007 denial of his application for a writ of habeas corpus. Before  
18 petitioner can appeal this decision, a certificate of appealability must issue. 28 U.S.C. § 2253(c);  
19 Fed. R. App. P. 22(b).

20 A certificate of appealability may issue under 28 U.S.C. § 2253 “only if the  
21 applicant has made a substantial showing of the denial of a constitutional right.” 28 U.S.C.  
22 § 2253(c)(2). The court must either issue a certificate of appealability indicating which issues  
23 satisfy the required showing or must state the reasons why such a certificate should not issue.  
24 Fed. R. App. P. 22(b).


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1 For the reasons set forth in the magistrate judge's August 24, 2007 findings and  
2 recommendations, petitioner has not made a substantial showing of the denial of a constitutional  
3 right. Accordingly, a certificate of appealability should not issue in this action.

4 IT IS SO ORDERED.

5 DATED: November 16, 2007.

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8 LAWRENCE K. KARLTON  
9 SENIOR JUDGE  
10 UNITED STATES DISTRICT COURT  
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